

## **North Dakota State Board of Higher Education**

April 25, 2024, Meeting Minutes

The State Board of Higher Education met on Thursday, April 25, 2024, at 8:30 a.m. CT., via Teams.

### **Roll Call**

#### SBHE Members

- |                                                                        |                                                                                     |
|------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Mr. Tim Mihalick, Chair            | <input checked="" type="checkbox"/> Dr. John Warford, Vice Chair                    |
| <input checked="" type="checkbox"/> Ms. Danita Bye                     | <input checked="" type="checkbox"/> Dr. Casey Ryan                                  |
| <input checked="" type="checkbox"/> Mr. Jeffry Volk (virtual)          | <input checked="" type="checkbox"/> Mr. Kevin Black                                 |
| <input checked="" type="checkbox"/> Ms. Sadie Hanson                   | <input checked="" type="checkbox"/> Mr. Curtis Biller                               |
| <input checked="" type="checkbox"/> Mr. Michael Linnell, Staff Advisor | <input checked="" type="checkbox"/> Dr. Lisa Montplaisir, Faculty Advisor (virtual) |

#### Institutions

**BSC** President Jensen, **DCB** Dean Simone, **DSU** President Easton, **LRSC** President Darling, **MaSU** President Van Horn, **MiSU** President Shirley, **NDSCS** President Flanigan, **NDSU** President Cook, **UND** President Armacost, **VCSU** President LaFave, **WSC** President Hirning.

#### System Office/Guests

**NDUS** Chancellor Hagerott, Ms. Cashman, Mr. Gorenflo, Ms. Grinde, Vice Chancellor Johnson, Vice Chancellor Krebsbach, Vice Chancellor Rostad, **CTS** – VC Darin King, **Assistant Attorney General** – Ms. Meredith Larson.

### 1. **Agenda**

Casey moved, Bye seconded, to approve the agenda, as presented.

Black, Ryan, Warford, Volk, Hanson, Biller, and Chair Mihalick voted yes. Motion passed 8 – 0.

### **Board Consent**

2. [March 27, 2024](#), SBHE Meeting Minutes

SBHE Budget and Finance Committee

3. [VCSU Tier II/III Capital Funds Request](#)  
4. [VCSU Line-Item Transfer from Operating to Capital Request](#)  
5. [UND Request for Tuition Exemption](#) (SBHE Policy 805.1) to charge tuition rates for undergraduate Canadian students, regardless of province of residency  
6. ~~SBHE Self-assessment~~ [Executive Summary](#)

Member Volk requested to remove item 6 from the consent agenda.

Ryan moved, Biller seconded, to approve the consent agenda, items 2 – 5.

Warford, Volk, Hanson, Black, Ryan, Biller, and Chair Mihalick voted yes. Motion passed 8 – 0.

#### **Item 6 - SBHE Self-assessment Executive Summary**

Member Volk requested a brief explanation of the process the SBHE Research and Governance Committee (RGC) completed for the Board self-assessment and if further information will be provided to all Board members. Mr. Pieske provided an overview of the process. RGC Co-chair Bye stated the committee will continue their work at their May meeting, including reviewing the information, identifying priorities, and forwarding their recommendation to the full Board. The information used to compile the executive summary will be provided to all the Board members after RGC has completed their review and recommendation, and prior to the full Board meeting.

Volk moved, Ryan seconded, to approve the [SBHE Self-assessment Executive Summary](#), as presented.

Black, Ryan, Warford, Volk, Hanson, Biller, and Chair Mihalick voted yes. Motion passed 8 – 0.

#### **7. Tenure Candidates for NDUS Four-Year and Research Institutions**

##### Motion:

Ryan moved, Bye seconded, to approve [tenure for all candidates](#) forwarded from the two-year, four-year, and research institutions.

##### Call for point of order:

Member Black objected to Member Ryan's motion and requested a point of order.

Member Black stated that the SBHE ASAC Committee unanimously voted unanimous to postpone consideration of the two-year institution's tenure requests to the May ASAC meeting. He expressed concern that there was no prior notice to the full Board that action would be taken for the two-year candidates; as a result, Board members weren't provided adequate time to review all of the materials. He asked the Board members to provide due diligence by allowing the ASAC committee to continue their review, discussion, and to make a recommendation at their May meeting, to be reviewed by the full Board in June.

Chair Mihalick requested Ms. Larson's advice on how to proceed. Ms. Larson stated that it's at the discretion of the Board Chair to decide whether Member Ryan's motion was in order. .

##### Ruling on point of order:

Chair Mihalick ruled in favor of Member Black's point of order.

Member Warford, ASAC Committee Chair, stated that he has changed his position since the April 17<sup>th</sup> ASAC Committee meeting and is in favor of including two-year tenure candidates for approval today. Member Warford spoke with a couple college Presidents and reviewed the materials submitted to ASAC. He stated that all the tenure candidates, including the individuals from the two-year institutions, have been reviewed by each institution's respective internal process, have met the criteria for tenure, and are endorsed by institution's President. He agreed that the Board should continue reviewing tenure/post-tenure processes and

related SBHE Policies; but disagreed with postponing consideration of the two-year tenure candidates who have been advanced under existing Board policies and processes.

Motion:

Black moved, Volk seconded, to approve tenure for the four-year and research institution candidates put forward to the full Board by the SBHE ASAC Committee.

Amendment to motion:

Ryan moved, Bye seconded, to amend Member Black's motion to include tenure candidates from two-year institutions.

Member Black questioned whether Member Ryan's motion was in order. Chair Mihalick requested advice from Attorney Larson, who advised that the Chair has wide discretion to accept amendments to motions.

The Board discussion continued; Chair Mihalick then called for a roll call vote on Member Ryan's amendment.

Roll call on amendment:

Warford, Hanson, Ryan, Bye, and Chair Mihalick voted yes. Volk, Biller, and Black voted no. Motion passed 5 – 3.

Roll call on amended motion:

Warford, Black, Hanson, Ryan, Bye, and Chair Mihalick voted yes. Volk and Biller voted no. Motion passed 6 – 2.

Tenure for candidates from the two-year, four-year, and research institutions, have been approved.

Chair Mihalick stated that the Board will continue to evaluate and discuss tenure and post-tenure process and any proposed changes to SBHE tenure policies

Member Black requested member Ryan and/or Vice Chancellor Johnson follow-up with him on the draft post-tenure report, specifically how the report addresses tenure at two-year institutions.

**8. 1<sup>st</sup> Reading SBHE Policy**

- a. Policy 311 [Public Records](#), presented by Mr. Chris Pieske.

Ryan moved, Warford seconded, to approve first reading of Policy 311, Public Records, as presented.

Black, Ryan, Bye, Warford, Volk, Hanson, Biller, and Chair Mihalick voted yes. Motion passed 8 – 0.

- b. Policy 340.1 [State Forester](#), presented by VC Jerry Rostad.

Ryan moved, Black seconded, to approve first reading of Policy 340.1, State Forester, as presented.

Volk, Hanson, Biller, Bye, Black, Ryan, Warford, and Chair Mihalick voted yes. Motion passed 8 – 0.

- c. Policy 404 [Collaborative Applicant](#), presented by VC Lisa Johnson. Ryan moved, Biller seconded, to approve first reading of Policy 404, Collaborative Applicant, as presented.

Bye, Black, Ryan, Warford, Volk, Hanson, Biller, and Chair Mihalick voted yes. Motion passed 8 – 0.

- d. Policy 461 [Digital Literacy](#), presented by VC Lisa Johnson. She explained the change incorporates digital literacy into the general education requirements rather than a standalone requirement.

Ryan moved, Warford seconded, to approve first reading of Policy 461, Digital Literacy, as presented.

Warford, Volk, Bye, Black, Ryan, Hanson, Biller, and Chair Mihalick voted yes. Motion passed 8 – 0.

#### 9. **2<sup>nd</sup> Reading SBHE Policy**

VC David Krebsbach presented the following policies for second reading, no additional changes were made from the first reading, items 9 a – e:

- a. HR Policy 1 [Introduction](#)
- b. HR Policy 4 [Probationary Period](#)
- c. HR Policy 8 [Workers Compensation](#)
- d. HR Policy 13 [Employment of Relatives](#)
- e. HR Policy 24 [Reduction in Force](#)

Ryan moved, Warford seconded, to approve second reading of Policies HR1, HR4, HR8, HR13, and HR24, as presented.

Black, Ryan, Bye, Warford, Volk, Hanson, Biller, and Chair Mihalick voted yes. Motion passed 8 – 0.

#### 10. SBHE Academic and Student Affairs Committee report by Dr. Warford, he noted areas of discussion:

- One or three year degrees.
- Accelerated or combined master's degrees.
- Some college and no degree.

#### 11. SBHE Research and Governance Committee report by Dr. Ryan and Ms. Bye. They noted areas of discussion:

- Research funding.
- High Performance Computing.

#### 12. SBHE Budget and Finance Committee report by Mr. Black, he noted areas of discussion:

- Deferred maintenance., including defining deferred maintenance.

- Space utilization - physical infrastructure and digital infrastructure.
13. SBHE Audit Committee report by Mr. Volk, he noted areas of discussion:
- Worked through the annual internal audit plan.
  - Reviewed system-wide internal audits.
14. Ad Hoc Post-Tenure Committee report Dr. Ryan/Chair Mihalick. they noted areas of discussion:
- Report is still being vetted through the RGC committee; more information will be presented to the Board in May.
15. Ad Hoc Funding Formula Study Committee report by Mr. Black and Chair Mihalick, they noted areas of discussion:
- Currently the committee is receiving information to understand the different components.
  - A work group has been consisting of representatives from the campuses are meeting to provide input to the SBHE Ad Hoc Committee.
16. Ad Hoc Retirement Oversight Committee report by Mr. Volk and Mr. Black, they noted areas of discussion:
- In the process of receiving information and guidance on how to proceed with a record keeper.

Break: 9:40 - 9:50 a.m. CT.

### **Chancellor Report**

17. [FAFSA Proclamation report](#) by Chancellor Hagerott, he explained that the new FAFSA system was intended to simplify the process, but the rollout failed. He noted his appreciation to Governor Burgum for his "Finish the [FAFSA Proclamation](#)". NDUS teams are working current issues; there have been meetings with the Bank of North Dakota; and mitigating strategies have been implemented.
18. Feedback Following Governor's Strategy Review Sessions. Chancellor Hagerott thanked the NDUS Presidents for their presentations. Key topics addressed included digitization, national security, and energy initiatives. Chair Mihalick said the briefs were informative and the topics he noted that the system will address during the next legislative session are enrollment numbers and infrastructure.
19. SBHE Legislative Priorities by NDUS Presidents and System Office staff. There was discussion about attaching dollar amounts to specific requests being worked through by the campuses and the system office.
20. Overview of Legislative Budget Process. VC David Krebsbach informed the Board that the Governor's budget guidelines come out in early May. The deadline for budgets to be entered in the OMB system is July 15<sup>th</sup>; however, NDUS usually gets an extension into mid-August.

Next steps:

- a. SBHE approves budget requests in June.
- b. Board approved requests are entered into the OMB system.
- c. Governor's office receives requests in October .
- d. OMB budget meetings are held with all state agencies.

Vice Chancellor Krebsbach said there is an opportunity for additional budget requests through Legislators, and those can occur right up into session.

Chancellor Hagerott and Presidents provided briefs to the Board on agenda items 21 and 22:

21. Envision 2035 Working Group Updates and Emerging Issues by Respective Group Leads:

- a. Programs of the Future: Ag
- b. Programs of the Future: Energy
- c. Programs of the Future: Digitization
- d. Programs of the Future: Healthcare
- e. Student of the Future
- f. Teacher of the Future
- g. Infrastructure of the Future
- h. Human Capital
- i. Values of the Future

Other topics addressed by the Presidents included:

- Enrollment strategies.
- Developing more CTE programs.
- Dual credit programs.
- Removing existing barriers for North Dakota students – student holds.
- Emergency credentialing/licensing for specific workforce needs.
- Physical and digital Infrastructure.
- Student mental health and social challenges.
- Workforce/CTE Centers.
- High Performance Computing/Artificial Intelligence.
- Carbon sequestration integration into the curriculum, specifically within agriculture.
- Ag scholarships for students with some college, no degree, and farmers and their kids.
- Develop targeted certificates and online offerings.
- Innovation fund.
- Outreach funds – rural families.
- System-wide marketing Funds.
- Grand Energy concept/Right sizing the energy approach/Intensified workforce development.
- Partnering with industry – meet workforce needs and create extra funding source.
- Methodology to attract and retain the teachers.
- Salaries that compete with private industry.

Chancellor Hagerott suggested sorting outcomes by time frame: immediate actions needed; short term initiatives; and medium-term goals. Items that require transformation and/or high investment would be considered long term and tracked as continuous work forwards.

22. May SBHE Retreat Preparations Update. VC Jerry Rostad informed the Board that he is working with the Chancellor to finalize the SBHE retreat agenda.

## Other Reports

23. NDSA report. Ms. Sadie Hanson reported that the NDSA member/office elections took place and a candidate for the SBHE student member was elected and forwarded to the Governor's office.
24. CCF report. Dr. Lisa Montplaisir reported tenure continues to be discussed and new CCF members from each institution will begin their transition to serve on the CCF in May.
25. Staff Senate report. Mr. Michael Linnell stated that the senate is working with legal counsel on clarifying rules and regulations for fund raising and is drafting their annual summer retreat agenda.
26. Public Comment – None.
27. Assessment of Meeting and Future Agenda Items.
28. Motion to Adjourn.  
Bye moved, Warford seconded, to adjourn the meeting at 11:35 a.m. CT.

Warford, Volk, Bye, Black, Ryan, Hanson, Biller, and Chair Mihalick voted yes. Motion passed 8 – 0.

Approved May 30, 2024.